

REMARKS/ARGUMENTS

I. STATUS OF CLAIMS

Claims 1-14, 28-41 and 55-68 are rejected by Examiner. Claims 1, 28, and 55 have been amended.

II. CLAIM REJECTIONS – 35 U.S.C. § 103

The Final Office Action rejected Claims 1-10, 12-14, 28-37, 39-41, 55-64 and 66-68 under 35 U.S.C. § 103(a) as being unpatentable by Zigmund et al (US 6,400,407) in view of Browne et al (WO 92/22983). The rejection is respectfully traversed.

Claims 1, 28, and 55 have been amended to clarify the invention and appear as follows;

1. A process for frame specific tagging of television audio and video broadcast streams with tag translation at a receiver, comprising the steps of:
  - tuning said receiver to a broadcast stream;
  - receiving said broadcast stream at said receiver;
  - storing said broadcast stream on a storage device on said receiver;
  - detecting frame-specific tags inserted into said broadcast stream;
  - processing said tags;
  - displaying program material in said stored broadcast stream from said storage device to a viewer;
  - wherein said processing step performs the appropriate actions in response to said tags; and
  - wherein said tags include command and control information.

28. An apparatus for frame specific tagging of television audio and video broadcast streams with tag translation at a receiver, comprising:

- a storage device on said receiver;
- a module for tuning said receiver to a broadcast stream;
- a module for receiving said broadcast stream at said receiver;
- a module for storing said broadcast stream on said storage device;
- a module for detecting frame-specific tags inserted into said broadcast stream;
- a module for processing said tags;
- a module for displaying program material in said stored broadcast stream from said storage device to a viewer;
- wherein said processing module performs the appropriate actions in response to said tags; and
- wherein said tags include command and control information.

55. A program storage medium readable by a computer, tangibly embodying a program of instructions executable by the computer to perform method steps for frame specific tagging of television audio and video broadcast streams with tag translation at a receiver, comprising the steps of:

- tuning said receiver to a broadcast stream;
- receiving said broadcast stream at said receiver;
- storing said broadcast stream on a storage device on said receiver;
- detecting frame-specific tags inserted into said broadcast stream;
- processing said tags;

displaying program material in said stored broadcast stream from said storage device to a viewer;  
wherein said processing step performs the appropriate actions in response to said tags; and  
wherein said tags include command and control information.

In particular, Zigmond does not teach or disclose a system that detects frame-specific tags inserted into said broadcast stream as claimed in Claims 1, 28, and 55. The Office Action points to col. 6, lines 1-25, however, Zigmond makes no mention of frame-specific tags inserted into a broadcast stream. Therefore, Zigmond does not contemplate such a feature.

The Office Action further states:

“... The system by storing programs for displaying and reproducing allows the system to be easily controlled by the user of recorded and live programs. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the tagging system as disclosed by Zigmond et al and further incorporate a system wherein programs are stored on a storage medium, as disclosed by Browne.”

However, there is no motivation or suggestion in the references to make such a combination as suggested by the Office Action. Zigmond specifically teaches that real-time links are sent in the VBI of the television broadcast and that the real-time links are valid for a predetermined amount of time after receipt by the client system (col. 6, lines 56-58). Zigmond does not need to store programs as the Office Action suggests. Further, there is no suggestion or motivation in Browne to combine Browne with Zigmond. Browne is only concerned with recording audio and video signals. There is no need for any feature of Zigmond’s invention to be

added to Browne and vice versa. The only motivation that would be obvious is from information gleaned from the present invention. Such use of hindsight is impermissible.

With regard to Claims 2, 29, and 56, Applicant again points out that the Office Action has misinterpreted Claims 2, 29, and 56. Said claims cite “wherein tags indicate the start and end **points** of a program segment”, where start and end points are indications of **where** the program segment is in the broadcast stream. The receiver can skip over the program segment using the start and end points, for example. The Office Action indicates that Zigmond in Col. 6, line 59-61 “describes the start and end **times** that are included in the tags.” In actuality, Zigmond discloses that batch mode logical address links are delivered as part of an EPG. Col. 6, lines 47-61 states:

“In contrast, batch mode logical address links are delivered to the client system in advance of the television broadcast to which they relate. For example, batch mode logical address links may be downloaded from a Web server to the user's client system or delivered on CD ROM or other computer readable medium. According to one embodiment, batch mode logical address links are delivered as part of an electronic programming guide (EPG) and may be modified and/or supplemented with real-time logical address links. While real-time logical address links are valid for a predetermined amount of time after receipt by the client system, batch mode logical address links typically define a time interval. For example, a batch mode logical address link may include a start time and an end time indicating when the link is to be made available to the viewer.”

Zigmond talks about batch mode logical address links that are delivered to the client system in advance of the television broadcast to which they relate. This is not what is claimed in the Claims. Further, Zigmond discloses in Col. 6, lines 59-61 that “a batch mode logical address link may include a start time and an end time indicating when the link is to be made available to

the viewer". This is also not what is claimed in the Claims. Therefore, it is clear that Zigmund does not teach or disclose what is claimed in Claims 2, 29, and 56.

Claims 1, 28, and 55 are allowable. Claims 2-10, 12-14, and 29-37, 39-41, and 56-64, 66-68 are dependent upon Claims 1, 28, and 55, respectively, and are allowable. Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

### III. MISCELLANEOUS

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

The Applicants believe that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate. Entry of the amendments herein and further examination on the merits are respectfully requested.

The Examiner is invited to telephone the undersigned at (408) 414-1080 ext. 214 to discuss any issue that may advance prosecution.

No fee is believed to be due specifically in connection with this Reply. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. § 1.136. The Commissioner is authorized to charge any fee that may be due in connection with this Reply to our Deposit Account No. 50-1302.

Respectfully submitted,

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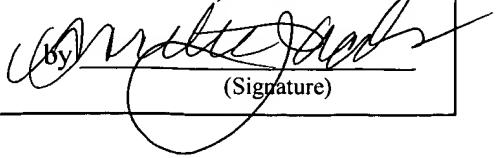
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#### CERTIFICATE OF MAILING

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